

ORIGINAL**ORIGINAL**

1 SEDGWICK, DETERT, MORAN & ARNOLD LLP **FILED**
 2 ELLIOTT D. OLSON Bar No. 41501
 3 elliott.olson@sdma.com
 4 FREDERIC F. GRANNIS Bar No. 185119
 5 frederic.grannis@sdma.com
 6 JEFFREY H. IKEJIRI (BAR NO. 245256)
 7 jeffrey.ikejiri@sdma.com
 8 801 South Figueroa Street, 19th Floor
 9 Los Angeles, California 90017-4516
 10 Telephone: (213) 426-6900
 11 Facsimile: (213) 426-6921

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 RICHARD W. WICKING
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 U.S. DISTRICT COURT
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7 Attorneys for Defendant
 8 CATERPILLAR INC.

E-FILING

9
 10 *DPV* UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

12 SAN JOSE DIVISION

13 KENNETH ORNDORF,
 14 Plaintiff,

15 v.
 16 CATERPILLAR INC., a Delaware
 17 Corporation and DOES 1 through
 18 50, inclusive,

19 Defendant.

20 CASE NO. **C08 01276 PVT**
 21 (State Court Case Number: M87442)

22 DEFENDANT CATERPILLAR
 23 INC.'S DEMAND FOR JURY TRIAL

24
 25 Defendant CATERPILLAR INC. hereby demands a trial by jury of all
 26 issues of fact in this action.

27 DATED: March 3, 2008

28 **SEDGWICK, DETERT, MORAN & ARNOLD LLP**

29 By:

30
 31 Elliott D. Olson
 32 Frederic F. Grannis
 33 Jeffrey H. Ikejiri
 34 Attorneys for Defendant
 35 CATERPILLAR INC.

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Sedgwick, Detert, Moran & Arnold LLP, 801 South Figueroa Street, 19th Floor, Los Angeles, California 90017-5556. On March 4, 2008, I served the within document(s):

DEFENDANT CATERPILLAR INC.'S DEMAND FOR JURY TRIAL

6 FAX - by transmitting via facsimile the document(s) listed
7 above to the fax number(s) set forth on the attached
8 Telecommunications Cover Page(s) on this date before 5:00 p.m.

9 MAIL - by placing the document(s) listed above in a sealed envelope
10 with postage thereon fully prepaid, in the United States mail at Los
11 Angeles, California addressed as set forth below.

12 PERSONAL SERVICE - by personally delivering the document(s)
13 listed above to the person(s) at the address(es) set forth below.

14 OVERNIGHT COURIER - by placing the document(s) listed above
15 in a sealed envelope with shipping prepaid, and depositing in a
16 collection box for next day delivery to the person(s) at the address(es)
17 set forth below via .

Robert D. Ponce, Esq.
**LAW OFFICES OF ROBERT D.
PONCE**
787 Munras Avenue, Suite 200
Monterey, CA 93940

Attorneys for Plaintiff **KENNETH
ORNDORF**

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on March 4, 2008, at Los Angeles, California

E. Rodriguez
Evelyn Rodriguez